

Message

From: Fernandez, Cristina [Fernandez.Cristina@epa.gov]
Sent: 8/22/2018 5:26:05 PM
To: Gordon, Michael [Gordon.Mike@epa.gov]
CC: Maldonado, Zelma [Maldonado.Zelma@epa.gov]
Subject: FW: Electronic copy: WV CAA section 111/129 CISWI Plan
Attachments: EPA Cover Letter_Signed.pdf; CISWI Plan_FINAL_wApp_OCR.pdf

Whenever you are ready, please, let me know if there are any issues with this plan.

Thanks, Cristina

Cristina Fernandez, Director
Air Protection Division (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2023
Work: (215) 814-2178
Cell: (215) 375-0847

From: Durham, William F [mailto:William.F.Durham@wv.gov]
Sent: Wednesday, August 22, 2018 12:54 PM
To: Servidio, Cosmo <Servidio.Cosmo@epa.gov>; Fernandez, Cristina <Fernandez.Cristina@epa.gov>; Gordon, Michael <Gordon.Mike@epa.gov>
Cc: Chakrabarty, Renu M <Renu.M.Chakrabarty@wv.gov>; Jennings, Laura M <Laura.M.Jennings@wv.gov>; Richard.A.Boehm_wv.gov <Richard.A.Boehm@wv.gov>
Subject: Electronic copy: WV CAA section 111/129 CISWI Plan

Dear Administrator Servidio,

On August 16, 2018, The West Virginia (WV) Department of Environmental Protection (DEP) submitted via hardcopy the *West Virginia CAA § 111(d)/129 Plan Revision for the Control of Air Pollution from Combustion of Solid Waste from Commercial and Industrial Solid Waste Incineration (CISWI) Units* to EPA for approval. This e-mail and attachments provide the same information, previously sent via Federal Express, in an electronic format.

Attached to this e-mail is the signed transmittal letter from the WV DEP Cabinet Secretary and the WV CAA § 111(d)/129 Plan Revision for the Control of Air Pollution from Combustion of Solid Waste from Commercial and Industrial Solid Waste Incineration Units (CISWI).

The plan revision was submitted to fulfill West Virginia's obligations under the CAA §§ 111(d)(1) and 129(b)(2). CAA § 111(d)(1) requires each State submit to EPA a plan which establishes standards of performance for any existing source in response to the issuance of Emission Guidelines by EPA and provide for the implementation and enforcement of such standards. CAA section 129(b)(2) requires each state in which solid waste incineration units are operating in the category for which EPA promulgated Emission Guidelines to submit to EPA a plan to implement and enforce the guidelines with respect to such units. The State Plan must be at least as protective as the emission guidelines promulgated by EPA.

The last revision to Series 18 of Title 45 of the West Virginia Code of State Rules (45 C.S.R. 18), Control of Air Pollution from Combustion of Solid Waste, became effective June 1, 2018. The rule was revised in response

to the June 23, 2016 amendments to the CISWI Emission Guidelines under 40 C.F.R. 60, Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units and to the New Source Performance Standards (NSPS) under 40 C.F.R. 60, Subpart CCCC, Standards of Performance for Commercial and Industrial Solid Waste Incineration Units.

In the attached signed cover letter, the DEP Cabinet Secretary certifies that the public notice and public hearing regarding the revised CAA § 111(d)/129 State Plan for the "Control of Air Pollution from Combustion of Solid Waste for Commercial and Industrial Solid Waste Incineration (CISWI) Units" was held in accordance with criteria specified in 40 CFR §60.23(d) and the list of attendees, public hearing transcript, summary of received public comments, and response to comment document are included in the attached revised State Plan.

Pursuant to the final rule published at 49 Fed. Reg. 48692 [14 DEC 1984] that granted delegation of the NSPS program to West Virginia, I am also providing notification that 45 C.S.R. 18 legally adopts the following standards as of June 1, 2017, except as noted: 40 C.F.R. 60, Subparts Eb (large municipal waste combustors); Ec (hospital/ medical/ infectious waste incinerators), AAAA (small municipal waste combustion units); CCCC (commercial and industrial solid waste incineration units); EEEE (other solid waste incineration units); and LLLL (sewage sludge incineration units). The Division of Air Quality (DAQ) intends to enforce the adopted standards in conformance with the terms of EPA's delegation of authority letter dated March 19, 2001. The DAQ understands that in accordance with EPA's delegation agreement letters, new or revised NSPS's are "automatically" delegated at the time the State legally adopts such standards, and upon receipt of notice herein.

If you or your staff have any questions concerning this submittal, please contact me at (304) 926-0462 or via email: william.f.durham@wv.gov

Best Regards,

Fred

William "Fred" Durham
Director
Division of Air Quality
WV Department of Environmental Protection